

A bill for an act

relating to utilities; repealing greenhouse gas emissions consideration in resource planning; amending Minnesota Statutes 2008, section 216H.03, subdivision 3; repealing Minnesota Statutes 2008, section 216H.06.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 216H.03, subdivision 3, is amended to read:

Subd. 3. **Long-term increased emissions from power plants prohibited.** Unless preempted by federal law, until a comprehensive and enforceable state law or rule pertaining to greenhouse gases that directly limits and substantially reduces, over time, statewide power sector carbon dioxide emissions is enacted and in effect, and except as allowed in subdivisions 4 to 7, on and after August 1, 2009, no person shall:

~~(1) construct within the state a new large energy facility that would contribute to statewide power sector carbon dioxide emissions;~~

~~(2) import or commit to import from outside the state power from a new large energy facility that would contribute to statewide power sector carbon dioxide emissions; or~~

~~(3) enter into a new long-term power purchase agreement that would increase statewide power sector carbon dioxide emissions. For purposes of this section, a long-term power purchase agreement means an agreement to purchase 50 megawatts of capacity or more for a term exceeding five years.~~

Sec. 2. **NULLIFICATION OF ORDERS.**

Any orders issued by the Public Utilities Commission under the authority of Minnesota Statutes, section 216H.06, are null and void.

- 2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 2.2 Sec. 3. **REPEALER.**
- 2.3 Minnesota Statutes 2008, section 216H.06, is repealed.

- 2.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.